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*Attorneys for Defendants,
Business Financial Solutions Advisory
LLC, Ryan Carroll, Max K. Day,
Max O. Day, Michael Day, Dreams To
Reality LLC, Evo Maxx LLC, HouTex
Farm Equity Partners LLC, MKD Family
Beneficiary, LLC, MKD Family Private
Management Company, LLC, MKD
Investment Advisor, LLC, Max Day
Consulting, LLC, Precision Trading
Group, LLC, Providence Oak Properties,
LLC, WA Amazon Seller LLC, WA
Distribution LLC, WWKB LLC, Yax
Ecommerce LLC, Yax IP and Management
Inc.*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

DAVID HOUGH; et al.,

Plaintiff,

vs.

RYAN CARROLL; et al.,

Defendant.

Case No.: 2:24-cv-02886-WLH

**DECLARATION OF MAX K. DAY
IN SUPPORT OF SUPPLEMENTAL
SUBMISSION FOR RELEASE OF
FUNDS FOR COUNSEL**

Judge: Hon. Wesley L. Hsu

DECLARATION OF MAX K. DAY

I, Max K. Day, declare as follows:

1. I am one of the defendants in the above-entitled action.

2. I have personal knowledge of the facts stated herein, and if called to testify, I could and would do so competently.

3. I make this declaration in support of the Supplemental Submission for Release of Funds for Counsel on behalf of myself the other defendants listed in paragraph 4 below.

4. I along with Michael Day, Max O. Day, Jared Day, WWKB LLC, Business Financial Solutions Advisory LLC, HouTex Farm Equity Partners LLC, MKD Family Beneficiary, LLC, MKD Family Private Management Company, LLC, MKD Investment Advisor, LLC, Max Day Consulting, LLC, Precision Trading Group, LLC, Providence Oak Properties LLC, and Evomaxx LLC (the “Day Defendants”) desire to hire new counsel to replace our existing counsel at Lloyd & Mousilli, PLLC and Offit Kurman, P.C.

5. Susan Anhalt, Esq., a corporate lawyer with a law practice in Los Angeles County, assisted me in identifying and interviewing alternate litigation counsel in Los Angeles to represent the Day Defendants in this litigation.

6. Ms. Anhalt reported to me that, of the six firms with whom she discussed the case, none were willing to accept representation of the Day Defendants without a change to the Order Discharging Order to Show Cause re Preliminary Injunction and Granting Preliminary Injunction Freezing Assets, dated May 13, 2024 (the “May 13 Order”). Specifically, all of the law firms advised that the May 13 Order would need to be modified to allow for the payment by the Day Defendants to such law firms of their ongoing legal fees and costs as they become due as well as a substantial retainer at the initiation of the firm’s representation.

11. Numerous institutions have frozen accounts held by defendants as well as individuals and companies who are not defendants notwithstanding that the May 13 Order allows for personal expenditures of \$9,000 a month..

1 I declare under penalty of perjury under the laws of California that the
2 foregoing is true and correct.

3
4 Executed this January 8, 2025 at Houston, Texas.

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6 Max K. Day
Max K. Day (Jan 8, 2025 21:00 CST)

7 MAX K. DAY

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9 4903-5024-9486, v. 3